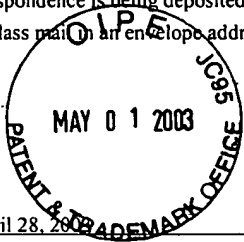


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PATENT
Attorney Docket No.: 040020-009400US



On April 28, 2003

TOWNSEND and TOWNSEND and CREW LLP

By: 
Cindy Bennett

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 02 2003

In re application of:

William E. San Filippo III

Application No.: 09/920,081

Filed: July 31, 2001

For: METHOD FOR MEASURING LOAD
BETWEEN MCDN DEVICES FOR USE
IN DETERMINING PATH WITH
OPTIMAL THROUGHPUT

Examiner: *Unassigned*

Technology Center 2600

Art Unit: 2661

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR
§1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

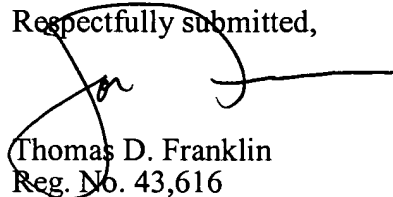
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

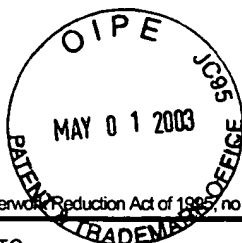
Respectfully submitted,



Thomas D. Franklin
Reg. No. 43,616

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
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DE 7102688 v1



PTO/SB/08B (04-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Page **3** of**Complete if Known**

Application Number	09/920,081
Filing Date	July 31, 2001
First Named Inventor	Filippo, William E.
Art Unit	
Examiner Name	
Attorney Docket Number	040020-009400US

RECEIVED**MAY 02 2003****Technology Center 2600****U.S. PATENT DOCUMENTS**

Examiner	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-4,718,081	01-05-1988	Brenig	
	AB	US-4,780,885	10-25-1988	Paul, et al.	
	AC	US-4,850,036	07-18-1989	Smith	
	AD	US-5,129,096	07-07-1992	Burns	
	AE	US-5,257,399	10-26-1993	Kallin, et al.	
	AF	US-5,280,288	01-18-1994	Sherry, et al.	
	AG	US-5,355,522	10-11-1994	Demange	
	AH	US-5,513,183	04-30-1996	Kay, et al.	
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	AK	US-5,619,493	04-08-1997	Ritz, et al.	
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	AM	US-5,805,633	09-08-1998	Uddenfeldt	
	AN	US-5,937,002	08-10-1999	Andersson, et al.	
	AO	US-6,023,462	02-08-2000	Nieczyporowicz, et al.	
	AP	US-6,240,125 B1	05-29-2001	Andersson, et al.	
	AQ	US-6,252,861 B1	06-26-2001	Bernstein, et al.	
	AR	US-6,272,313 B1	08-07-2001	Arsenault, et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	AS					<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS

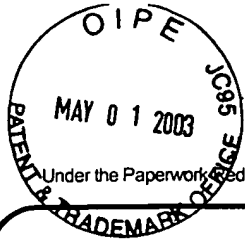
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AT	RUTGERS, CHARLES L. HEDRICK, Cisco - An Introduction to IGRP, The State University of New Jersey, Center for Computers and Information Services, Laboratory for Computer Science Research, 22 August 1991, 25 pages.	
	AU	KAHN, ROBERT E., et al., Advances in Packet Radio Technology, Proceedings of the IEEE, November 1978, Vol. 66, No. 11.	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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2661 #4
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/920,081	
	Filing Date	July 31, 2001	
	First Named Inventor	Filippo, William E. RECEIVED	
	Art Unit	2661 MAY 02 2003	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	4	Attorney Docket Number	040020-009400US Technology Center 2600

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard Cited References: (18-US Patents; 2-Non-Patent Literature Documents)
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Signature	
Date	April 28, 2003

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